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SECOND REGULAR SESSION
FIFTY-NINTH LEGISLATURE

FIFTEENTH LEGISLATIVE DAY
MONDAY, JANUARY 21, 2008

Senate Chamber

President Pro Tempore Geddes called the Senate to order at 11:30 a.m.

Roll call showed all members present except Senators Andreason, Burkett, Jorgenson, and Richardson, absent and formally excused by the Chair; and Senators Hill, Little, and Lodge, absent and excused.

Prayer was offered by Chaplain Goebel.

The Pledge of Allegiance was led by Jason Andersen, Page.

Senators Andreason, Hill, and Little were recorded present at this order of business.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of January 18, 2008, was read and approved as corrected.

DARRINGTON, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

Senator Lodge was recorded present at this order of business.

January 21, 2008

The JUDICIARY AND RULES Committee reports that **S 1294, S 1295, S 1296, S 1297, S 1298, S 1299, S 1300, S 1301, S 1302, S 1303, S 1304, S 1305, S 1306, S 1307, S 1308, S 1309, S 1310, S 1311, S 1312, S 1313, S 1314, S 1315, and SCR 123** have been correctly printed.

DARRINGTON, Chairman

S 1294, S 1310, and SCR 123 were referred to the Education Committee.

S 1295 and S 1313 were referred to the Resources and Environment Committee.

S 1296 was referred to the Judiciary and Rules Committee.

S 1297, S 1298, S 1299, S 1300, S 1301, S 1302, S 1303, S 1312, and S 1314 were referred to the State Affairs Committee.

S 1304 and S 1315 were referred to the Local Government and Taxation Committee.

S 1305 was referred to the Agricultural Affairs Committee.

S 1306 and S 1307 were referred to the Transportation Committee.

S 1308 and S 1309 were referred to the Finance Committee.

S 1311 was referred to Commerce and Human Resources Committee.

January 21, 2008

The STATE AFFAIRS Committee reports it has had under consideration the Gubernatorial appointment listed below and the Committee recommends that said appointment be confirmed by the Senate:

Jim Kempton to the Idaho Public Utilities Commission, term to expire January 10, 2011.

MCKENZIE, Chairman

The Gubernatorial appointment was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

January 21, 2008

The FINANCE Committee reports out **S 1308 and S 1309** with the recommendation that they do pass.

CAMERON, Chairman

S 1308 and S 1309 were filed for second reading.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Eighth Order of Business.

Messages from the Governor

President Risch assumed the Chair.

January 21, 2008

The Honorable James E. Risch
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that M. Dean Buffington of Boise, Idaho, was appointed as a member of the Idaho Endowment

Fund Investment Board to serve a term commencing April 12, 2007, and expiring April 11, 2011.

This appointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

As Always - Idaho, *Esto Perpetua*
/s/ C. L. 'Butch' Otter
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Gubernatorial appointment was referred to Commerce and Human Resources Committee.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

**Introduction, First Reading and Reference of Bills,
House Petitions, Resolutions, and Memorials**

S 1316

BY JUDICIARY AND RULES COMMITTEE

AN ACT

RELATING TO JUDGMENTS; AMENDING CHAPTER 25, TITLE 19, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 19-2518A, IDAHO CODE, TO PROVIDE THAT CERTAIN JUDGMENTS INCLUDE A SPECIFIED AMOUNT FOR PRESENTENCE INVESTIGATION REPORTS.

S 1317

BY JUDICIARY AND RULES COMMITTEE

AN ACT

RELATING TO PAROLE; AMENDING CHAPTER 2, TITLE 20, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 20-239A, IDAHO CODE, TO PROVIDE FOR RELEASE DATES OF PAROLEES WITH PAROLE ELIGIBILITY DATES THAT FALL ON A SATURDAY, SUNDAY OR LEGAL HOLIDAY.

S 1318

BY JUDICIARY AND RULES COMMITTEE

AN ACT

RELATING TO HONORARIUMS AND EXPENSES; AMENDING SECTION 20-208, IDAHO CODE, TO REVISE COMPENSATION PROVISIONS REGARDING THE STATE BOARD OF CORRECTION; AND AMENDING SECTION 59-509, IDAHO CODE, TO PROVIDE FOR SPECIFIED PER DIEM HONORARIUM AND FOR ACTUAL AND NECESSARY EXPENSES OF MEMBERS OF PART-TIME BOARDS, COMMISSIONS OR COUNCILS AND TO MAKE TECHNICAL CORRECTIONS.

S 1319

BY JUDICIARY AND RULES COMMITTEE

AN ACT

RELATING TO LAW ENFORCEMENT; AMENDING SECTION 18-101A, IDAHO CODE, TO REVISE AND ADD DEFINITIONS; AND AMENDING SECTION 18-6110, IDAHO CODE, TO PROHIBIT EMPLOYEES OF THE DEPARTMENT OF JUVENILE CORRECTIONS FROM SEXUAL CONTACT WITH JUVENILE OFFENDERS, TO PROHIBIT CERTAIN

SUPERVISING OFFICERS FROM SEXUAL CONTACT WITH CERTAIN PAROLEES OR PROBATIONERS AND TO PROVIDE PUNISHMENT FOR SEXUAL CONTACT WITH A JUVENILE OFFENDER.

S 1320

BY JUDICIARY AND RULES COMMITTEE

AN ACT

RELATING TO MEDICAL COSTS OF STATE PRISONERS HOUSED IN CORRECTIONAL FACILITIES; AMENDING SECTION 20-237B, IDAHO CODE, TO PROVIDE THAT THE BOARD OF CORRECTION SHALL PAY FOR MEDICAL SERVICES FOR PRISONERS COMMITTED TO THE CUSTODY OF THE DEPARTMENT OF CORRECTION.

S 1321

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO THE COMMISSION FOR LIBRARIES; AMENDING SECTION 33-2505, IDAHO CODE, TO ESTABLISH A DIGITAL REPOSITORY FOR STATE PUBLICATIONS; AMENDING CHAPTER 25, TITLE 33, IDAHO CODE, BY THE ADDITION OF NEW SECTIONS 33-2505A, 33-2505B AND 33-2505C, IDAHO CODE, TO DEFINE TERMS, TO SET FORTH REQUIREMENTS FOR SUBMISSION OF STATE PUBLICATIONS TO THE DIGITAL REPOSITORY AND TO PROVIDE EXEMPTIONS.

S 1322

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO CHARITABLE BINGO AND RAFFLE OPERATIONS; AMENDING SECTION 67-7702, IDAHO CODE, TO REVISE DEFINITIONS; AMENDING SECTION 67-7709, IDAHO CODE, TO REVISE PROCEDURES FOR ACCOUNTING AND USE OF BINGO PROCEEDS; AND AMENDING SECTION 67-7711, IDAHO CODE, TO REVISE LICENSING PROCEDURES AND TO MAKE TECHNICAL CORRECTIONS.

S 1323

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO THE HUMAN RIGHTS COMMISSION; AMENDING SECTION 67-5909, IDAHO CODE, TO EXPAND APPLICATION OF THE STATE HUMAN RIGHTS LAW; AND AMENDING SECTION 67-5910, IDAHO CODE, TO PROVIDE THAT CERTAIN ACTIONS SHALL NOT APPLY TO A RELIGIOUS CORPORATION, ASSOCIATION OR SOCIETY OR CERTAIN PROPERTY OF THE RELIGIOUS CORPORATION, ASSOCIATION OR SOCIETY.

S 1316, S 1317, S 1318, S 1319, S 1320, S 1321, S 1322, and 1323 were introduced read the first time at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

S 1259, by McGee, was read the second time at length and filed for third reading.

S 1282 and **S 1284**, by State Affairs Committee, were read the second time at length and filed for third reading.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote the Senate adjourned at 11:46 a.m. until the hour of 11:30 a.m., Tuesday, January 22, 2008.

JAMES E. RISCH, President

Attest: JEANNINE WOOD, Secretary